

AMENDED IN ASSEMBLY APRIL 12, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 2353**

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### Introduced by Assembly Member Logue

February 19, 2010

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An act to add Section 66908.5 to the Government Code, and to amend Sections 31108, 33208, and 33350 of, and to add Sections 32351, 32539, 32573.5, 32604.5, 32638.5, and 33510 to, the Public Resources Code, relating to conservancies.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2353, as amended, Logue. Conservancies: reporting requirements.

**Existing**

(1) *Existing* law authorizes various conservancies to acquire, manage, direct the management of, and conserve public lands in the state. Existing law requires the State Coastal Conservancy, the Santa Monica Mountains Conservancy, and the Sierra Nevada Conservancy, to submit a report, at specified times, to the Legislature.

This bill would require the California Tahoe Conservancy, the Sacramento-San Joaquin Delta Conservancy, the San Joaquin River Conservancy, the Baldwin Hills Conservancy, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the San Diego River Conservancy, and the Coachella Valley Mountain Conservancy to submit biennial reports to the Legislature and to the Secretary of the Natural Resources Agency detailing their funding, land management costs, administrative costs, and ~~land and conservation easement acquisition activities or funding~~ *a description of, and the amount of*

money expended for, all projects funded by the conservancy, a project schedule, and progress toward achieving specified purposes. The bill would also conform the dates for submitting the reports to when the existing reports are required to be submitted by the State Coastal Conservancy, Santa Monica Mountains Conservancy, and the Sierra Nevada Conservancy.

(2) Existing law requires the Santa Monica Mountains Conservancy to transmit to the Governor and the Legislature a 2-part report with specified information, including, among other things, information in the 2nd part of the report regarding the disposition of the funds appropriated to the conservancy in the fiscal year preceding the year in which the report was made.

This bill would instead require the 2nd part of the report to include information regarding the disposition of the funds appropriated to the conservancy in the 2 fiscal years preceding the year in which the report was made.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 66908.5 is added to the Government
- 2 Code, to read:
- 3 66908.5. Notwithstanding Section 10231.5, the conservancy
- 4 shall provide a report to the Legislature and to the Secretary of the
- 5 Natural Resources Agency on or before January 1, 2012, and on
- 6 or before January 1 every even-numbered year thereafter. The
- 7 report shall contain information regarding all of the following:
- 8 (a) State and nonstate funding sources and revenues.
- 9 (b) Land management costs and administrative costs.
- 10 ~~(c) Land or conservation easement acquisition activities or~~
- 11 ~~funding provided to nonstate entities to acquire land or~~
- 12 ~~conservation easements.~~
- 13 (c) A description of, and the amount of money expended for, all
- 14 projects funded by the conservancy either directly or through
- 15 nonstate entities.
- 16 (d) A schedule of projects undertaken.
- 17 (e) A description of progress made toward achievement of the
- 18 purposes set forth in Section 66905.2.

SEC. 2. Section 31108 of the Public Resources Code is amended to read:

31108. Notwithstanding Section 10231.5 of the Government Code, on or before January 1, 2012, and on or before January 1 every even-numbered year thereafter, the conservancy shall prepare and submit to the Governor and to the Legislature a report describing progress in achieving the objectives of this division. The report shall include the following:

(a) An evaluation of the effectiveness of the conservancy's programs in preserving agricultural lands, restoring coastal habitat, providing public access to the coastline, and in undertaking other functions prescribed in this division.

(b) Identification of additional funding, legislation, or other resources required to more effectively carry out the objectives of this division.

(c) A discussion of its progress in addressing the goals, priority areas, and concerns referenced in subdivision (a) of Section 31163, including, but not limited to, any funds that are received or disbursed for purposes related to addressing those goals, priority areas, and concerns.

SEC. 3. Section 32351 is added to the Public Resources Code, to read:

32351. Notwithstanding Section 10231.5 of the Government Code, the conservancy shall provide a report to the Legislature and to the Secretary of the Natural Resources Agency on or before January 1, 2012, and on or before January 1 every even-numbered year thereafter. The report shall contain information regarding all of the following:

(a) State and nonstate funding sources and revenues.

(b) Land management costs and administrative costs.

~~(c) Land or conservation easement acquisition activities or funding provided to nonstate entities to acquire land or conservation easements.~~

*(c) A description of, and the amount of money expended for, all projects funded by the conservancy either directly or through nonstate entities.*

(d) A schedule of projects undertaken.

(e) A description of progress made toward achievement of the purposes set forth in Section 32322.

SEC. 4. Section 32539 is added to the Public Resources Code, to read:

32539. Notwithstanding Section 10231.5 of the Government Code, the conservancy shall provide a report to the Legislature and to the Secretary of the Natural Resources Agency on or before January 1, 2012, and on or before January 1 every even-numbered year thereafter. The report shall contain information regarding all of the following:

- (a) State and nonstate funding sources and revenues.
- (b) Land management costs and administrative costs.
- ~~(c) Land or conservation easement acquisition activities or funding provided to nonstate entities to acquire land or conservation easements.~~
- (c) A description of, and the amount of money expended for, all projects funded by the conservancy either directly or through nonstate entities.*
- (d) A schedule of projects undertaken.
- (e) A description of progress made toward implementation of the San Joaquin River Parkway Plan.

SEC. 5. Section 32573.5 is added to the Public Resources Code, to read:

32573.5. Notwithstanding Section 10231.5 of the Government Code, the conservancy shall provide a report to the Legislature and to the Secretary of the Natural Resources Agency on or before January 1, 2012, and on or before January 1 every even-numbered year thereafter. The report shall contain information regarding all of the following:

- (a) State and nonstate funding sources and revenues.
- (b) Land management costs and administrative costs.
- ~~(c) Land or conservation easement acquisition activities or funding provided to nonstate entities to acquire land or conservation easements.~~
- (c) A description of, and the amount of money expended for, all projects funded by the conservancy either directly or through nonstate entities.*
- (d) A schedule of projects undertaken.
- (e) A description of progress made toward achievement of the purposes set forth in Section 32555.

SEC. 6. Section 32604.5 is added to the Public Resources Code, to read:

1 32604.5. Notwithstanding Section 10231.5 of the Government  
2 Code, the conservancy shall provide a report to the Legislature  
3 and to the Secretary of the Natural Resources Agency on or before  
4 January 1, 2012, and on or before January 1 every even-numbered  
5 year thereafter. The report shall contain information regarding all  
6 of the following:

7 (a) State and nonstate funding sources and revenues.

8 (b) Land management costs and administrative costs.

9 ~~(c) Land or conservation easement acquisition activities or~~  
10 ~~funding provided to nonstate entities to acquire land or~~  
11 ~~conservation easements.~~

12 *(c) A description of, and the amount of money expended for, all*  
13 *projects funded by the conservancy either directly or through*  
14 *nonstate entities.*

15 (d) A schedule of projects undertaken.

16 (e) A description of progress made toward achievement of the  
17 purposes set forth in Section 32602 and implementation of the San  
18 Gabriel and Lower Los Angeles Parkway and Open Space Plan.

19 SEC. 7. Section 32638.5 is added to the Public Resources Code,  
20 to read:

21 32638.5. Notwithstanding Section 10231.5 of the Government  
22 Code, the conservancy shall provide a report to the Legislature  
23 and to the Secretary of the Natural Resources Agency on or before  
24 January 1, 2012, and on or before January 1 every even-numbered  
25 year thereafter. The report shall contain information regarding all  
26 of the following:

27 (a) State and nonstate funding sources and revenues.

28 (b) Land management costs and administrative costs.

29 ~~(c) Land or conservation easement acquisition activities or~~  
30 ~~funding provided to nonstate entities to acquire land or~~  
31 ~~conservation easements.~~

32 *(c) A description of, and the amount of money expended for, all*  
33 *projects funded by the conservancy either directly or through*  
34 *nonstate entities.*

35 (d) A schedule of projects undertaken.

36 (e) A description of progress made toward achievement of the  
37 purposes set forth in Section 32633 and implementation of the  
38 conservancy's Five Year Strategic and Infrastructure Plan  
39 (2006–2011) as specified on the conservancy's Internet Web site.

SEC. 8. Section 33208 of the Public Resources Code is amended to read:

33208. Notwithstanding Section 10231.5 of the Government Code, on or before January 1, 2012, and on or before January 1 every even-numbered year thereafter, the conservancy shall transmit to the Governor and the Legislature a two-part report as follows:

(a) The first part of the report shall include all of the following:

(1) A listing of, and justification for, the projects proposed to be undertaken pursuant to Section 33204, a statement of the condition of the fund, and a certification by the conservancy that each of the projects proposed to be funded are consistent with the plan.

(2) A priority listing of the projects that shall be developed after public hearings and findings and with local government coordination.

(3) A listing of the amount of money necessary, if any, to retire bonded indebtedness for water and sewer and other utilities already incurred by property owners which, if left outstanding, would contribute to further development of the zone in a manner inconsistent with the plan. Upon appropriation by the Legislature, the conservancy may make grants from the fund to retire that bonded indebtedness from any money specifically granted by the Secretary of the Interior for that purpose.

(b) The second part of the report shall include all of the following:

(1) A schedule of projects undertaken by the conservancy and a schedule of grants and loans made by the conservancy.

(2) The program specified in Section 33204 under which each project, grant, or loan was carried out and the manner and extent to which the goals of the project, grant, or loan, and the goals of this division, were achieved and the actual cost thereof, including an accounting.

(3) A schedule of grants awarded to the conservancy and the disposition of the funds granted.

(4) The disposition of the funds appropriated to the conservancy ~~in the fiscal year~~ *two fiscal years* preceding the year in which the report is made.

(5) A review of local and state government actions taken to implement the plan.

1 (6) An identification of additional funding, legislation, or other  
2 resources required which would more effectively enable the  
3 conservancy or local governments to carry out the purposes of this  
4 division.

5 SEC. 9. Section 33350 of the Public Resources Code is  
6 amended to read:

7 33350. Notwithstanding Section 10231.5 of the Government  
8 Code, on or before January 1, 2012, and on or before January 1  
9 every even-numbered year thereafter, the conservancy shall make  
10 a report to the Legislature and to the Secretary of the Natural  
11 Resources Agency regarding expenditures, land management costs,  
12 and administrative costs.

13 SEC. 10. Section 33510 is added to the Public Resources Code,  
14 to read:

15 33510. Notwithstanding Section 10231.5 of the Government  
16 Code, the conservancy shall provide a report to the Legislature  
17 and to the Secretary of the Natural Resources Agency on or before  
18 January 1, 2012, and on or before January 1 every even-numbered  
19 year thereafter. The report shall contain information regarding all  
20 of the following:

21 (a) State and nonstate funding sources and revenues.

22 (b) Land management costs and administrative costs.

23 ~~(c) Land or conservation easement acquisition activities or~~  
24 ~~funding provided to nonstate entities to acquire land or~~  
25 ~~conservation easements.~~

26 *(c) A description of, and the amount of money expended for, all*  
27 *projects funded by the conservancy either directly or through*  
28 *nonstate entities.*

29 (d) A schedule of projects undertaken.

30 (e) A description of progress made toward achievement of the  
31 purposes set forth in Section 33501.